

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOSE LUIS HERNANDEZ LEONARDO and :  
YONIC HERNANDEZ, :  
: Plaintiffs, : 20-CV-8879 (VSB)  
: -against- : **ORDER**  
: :  
REZA FAST FOOD, INC (d/b/a CROWN :  
FRIED CHICKEN) and ADEL EJTEMAI, :  
: Defendants. :  
:-----X

VERNON S. BRODERICK, United States District Judge:

On February 25, 2022, after learning that the parties had reached a settlement in this Fair Labor Standards Act (“FLSA”) case, I entered an order advising the parties that they must submit their settlement for review, because “[p]arties may not privately settle FLSA claims with prejudice absent the approval of the district court or the Department of Labor.” (Doc. 36 (citing *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 200 (2d Cir. 2015).) I directed the parties to file their settlement for review “within thirty . . . days of th[at] Order.” (*Id.*) That time has expired, and the parties still have not filed any settlement for review.

Therefore, it is hereby:

ORDERED that, unless the parties file their settlement for review by April 11, 2022, per the terms of my February 25, 2022 Order, this action will be dismissed pursuant to Federal Rule of Civil Procedure 41(b). The parties are cautioned that a dismissal under Rule 41(b) will render their settlement void and unenforceable.

IT IS FURTHER ORDERED that, along with the materials called for by my February 25, 2022 Order, the parties must file a letter showing good cause for their failure to comply with the deadline provided by my February 25, 2022 Order.

SO ORDERED.

Dated: April 6, 2022  
New York, New York

  
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Vernon S. Broderick  
United States District Judge